

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

INGINIO HERNANDEZ,

Plaintiff,

v.

RENEE BAKER et al.,

Defendants.

3:14-cv-307-MMD-WGC

ORDER

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983, a motion to file excess pages, and a motion to show cause and has filed a financial certificate. (ECF No. 1-1, 1-2, 1-3, 1-4, 1-5).

Plaintiff's application to proceed *in forma pauperis* is incomplete. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted an *in forma pauperis* application or an inmate account statement but has submitted a financial certificate. (See ECF No. 1-1). The Court will retain Plaintiff's civil rights complaint and other motions (ECF No. 1-2, 1-3, 1-4, 1-5), but will not file them until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND
3 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as
4 the document entitled information and instructions for filing an *in forma pauperis* application.

5 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
6 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
7 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
8 (2) pay the full filing fee of \$400.

9 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
10 dismissal of this action may result.

11 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint, the
12 motion to file excess pages, and the motion to show cause (ECF No. 1-2, 1-3, 1-4, 1-5), but
13 shall not file them at this time.

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15 DATED: This 13th day of June, 2014.

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19 United States Magistrate Judge
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